

## **MINUTES**

### **MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HIGHWAYS AND TRANSPORTATION**

**Call to Order:** By **SEN. VICKI COCCHIARELLA, VICE CHAIRWOMAN**, on January 25, 2007 at 3:00 P.M., in Room 405 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Jerry W. Black (R)  
Sen. Roy Brown (R)  
Sen. John Brueggeman (R)  
Sen. Vicki Cocchiarella (D)  
Sen. Sam Kitzenberg (D)  
Sen. Jesse Laslovich (D)  
Sen. Frank Smith (D)  
Sen. Donald J. Steinbeisser (R)

**Members Excused:** Sen. Gerald Pease, Chairman (D)

**Members Absent:** None.

**Staff Present:** Andrew Geiger, Legislative Branch  
Lois O'Connor, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: 159, 1/22/2007; SB 208, 1/22/2007;  
SB 237, 1/22/2007  
Executive Action: SB 237, SB 159, SB 208, SB 194,  
SB 185

00:00:14

**HEARING ON SB 159**

**Opening Statement by Sponsor:**

00:01:37 **SEN. DAN HARRINGTON (D), SD 38**, opened the hearing on **SB 159**, Include drug use in county drinking and driving prevention programs.

**Proponents' Testimony:**

00:03:51 Jim Lynch, Director, Montana Department of Transportation (MDOT)

00:06:50 Don Hargrove, Montana Addiction Service Providers

00:08:00 Jane Hamman, Montana Traffic Education Association (MTEA)

**Opponents' Testimony:**

00:09:17 Mike Barrett, Self

**EXHIBIT**(his17a01)

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

00:12:45 Sen. Harrington

**HEARING ON SB 208**

**Opening Statement by Sponsor:**

00:13:11 **SEN. MITCH TROPILA (D), SD 12**, opened the hearing on **SB 208**, Traffic regulation for nonfunctioning traffic signal.

**Proponents' Testimony:**

00:15:49 Kory Larsen, Attorney, City of Great Falls

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:** None.

**Closing by Sponsor:**

00:18:54 Sen. Mitch Tropila

**HEARING ON SB 237**

**Opening Statement by Sponsor:**

00:19:32 **SEN. JOHN BRUEGEMAN (R), SD 6**, opened the hearing on  
SB 237, Revise studded tire laws.

**Proponents' Testimony:**

00:21:19 Mike O'Brian, CEO, Q Tire

**EXHIBIT(his17a02)**

00:26:56 Jim Lynch, Director, Montana Department of  
Transportation, MDOT

**Opponents' Testimony:** None.

**Informational Testimony:** None.

**Questions from Committee Members and Responses:**

00:28:17 Sen. Frank Smith to Mr. O'Brian, Q Tire, rereferred to  
E.J. Redding

00:29:42 Sen. Roy Brown to Mr. O'Brian, Q Tire

00:30:13 Sen. Vicki Cocchiarella to Director Lynch, MDOT,  
rereferred to Sen. Brueggeman

00:34:35 Andrew Geiger, Research Analyst, Legislative Services  
Division (LSD)

00:35:03 Sen. Lynch, MDOT

00:35:46 Sen. Brueggeman

00:36:08 Sen. Smith to Mr. O'Brian, Q Tire

00:38:34 Sen. Cocchiarella to Mr. O'Brian, Q Tire

**Closing by Sponsor:**

00:40:05 Sen. Brueggeman

**EXECUTIVE ACTION ON SB 237**

00:40:52 **Motion:** SEN. BRUEGGEMAN moved that SB 237 DO PASS.

**Discussion:**

00:41:21 Sen. Cocchiarella

00:41:47 **Motion passed unanimously by voice vote. SEN. STEINBEISSER, SEN. LASLOVICH, and SEN. PEASE voted aye by proxy.**

**EXECUTIVE ACTION ON SB 159**

00:42:36 **Motion/Vote:** SEN. SMITH moved that SB 159 DO PASS. **Motion carried unanimously by voice vote. SEN. STEINBEISSER, SEN. LASLOVICH, and SEN. PEASE voted aye by proxy.**

**EXECUTIVE ACTION ON SB 208**

00:43:05 **Motion:** SEN. BLACK moved that SB 208 DO PASS.

**Discussion:**

00:43:18 Sen. Cocchiarella

**Vote:** Motion carried unanimously by voice vote. SEN. STEINBEISSER, SEN. LASLOVICH, and SEN. PEASE voted aye by proxy.

**Discussion:**

00:43:58 Sen. Kitzenberg

00:44:33 Sen. Cocchiarella

**EXECUTIVE ACTION ON SB 194**

00:45:15 **Motion:** SEN. KITZENBERG moved that SB 194 DO PASS.

00:46:25 **Motion:** SEN. KITZENBERG moved that #SB019401.AAG and #SB019402.AAG DO PASS.

[EXHIBIT](#)(his17a03)

[EXHIBIT](#)(his17a04)

**Discussion:**

00:46:47 Mr. Geiger, LSD

00:47:27 Sen. Smith to Mr. Larson, Attorney, City of Great Falls

00:49:22 Sen. Kitzenberg

00:49:39 Sen. Smith to Director Lynch, MDOT

00:51:43 Sen. Brown

00:52:38 Sen. Cocchiarella

00:52:52 Sen. Black to Director Lynch, MDOT

00:54:09 Sen. Kitzenberg

00:56:37 Sen. Black to Director Lynch, MDOT

00:58:00 **Vote:** Motion that #SB019401.AAG and #SB019402.AAG DO PASS carried unanimously by voice vote. SEN. STEINBEISSER voted aye by proxy. SEN. PEASE and SEN. LASLOVICH were excused.

00:59:09 Sen. Brueggeman

00:59:21 **Motion/Vote:** SEN. BROWN moved that SB 194 BE TABLED. Motion carried unanimously by voice vote. SEN. STEINBEISSER voted aye by proxy. SEN. PEASE and SEN. LASLOVICH were excused.

01:01:00 Revised fiscal note was requested

**EXECUTIVE ACTION ON SB 185**

01:02:04 **Motion:** SEN. BRUEGGEMAN moved that SB 185 DO PASS.

01:02:12 **Motion:** SEN. BRUEGGEMAN moved that #SB018504,AAG DO PASS.

**EXHIBIT**(his17a05)

01:03:00 Brenda Nordland, Attorney, Department of Justice (DOJ)

01:06:03 **Vote:** Motion that #SB018504,AAG DO PASS carried unanimously by voice vote. SEN. PEASE and SEN. LASLOVICH voted aye by proxy.

**Discussion:**

01:07:35 Sen. Brueggeman

01:08:17 **Motion:** SEN. BRUEGGEMAN moved that #SB0018501.ALH DO PASS.

**EXHIBIT**(his17a06)

**Discussion:**

01:09:12 Sen. Brown

01:09:39 Sen. Brueggeman

01:09:51 Sen. Cocchiarella to Sen. Brueggeman

01:10:25 **Vote:** Motion that #SB0018501.ALH DO PASS carried unanimously by voice vote.

01:10:35 **Motion/Vote:** SEN. BRUEGGEMAN moved that SB 185 DO PASS AS AMENDED. Motion carried unanimously by voice vote. SEN. PEASE, SEN. STEINBEISSER and SEN. LASLOVICH voted aye by proxy.

**ADJOURNMENT**

Adjournment: 4:14 P.M.

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SEN. VICKI COCCHIARELLA, Vice Chairwoman

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LOIS O'CONNOR, Secretary

GP/lo

Additional Exhibits:

**EXHIBIT ([his17aad.pdf](#))**